

**FUNERAL DIRECTORS EXAMINING BOARD MEETING  
MINUTES  
SEPTEMBER 17, 2002**

**PRESENT:** Roy Pfeffer, Rick Unbehaun, William Cress, Bonnie Gift, Robert Skinner

**STAFF PRESENT:** Clete Hansen, Grace Schwingel, Judy Mender, Kelly Cochran, Willie Garrette, and Henry Sanders

**GUESTS:** Barbara Schuler, Wisconsin Technical College System  
Erin Longmire, Funeral Service Alliance of Wisconsin (FSA)  
Mark Paget, Wisconsin Funeral Directors Association (WFDA)  
John Pludeman, Milwaukee Area Technical College (MATC)

Roy Pfeffer welcomed Kelly Cochran, a new DOE attorney, replacing Attorney Charles Howden. Kelly Cochran introduced herself, giving a brief review of her background. Kelly graduated from Marquette University and has been practicing for 7 years. Before coming to the Department of Regulation & Licensing, Kelly worked at the Department of Commerce.

**CALL TO ORDER**

Roy Pfeffer, Chair, called the meeting to order at 9:35 a.m. A quorum of 5 members was present.

**AGENDA**

**MOTION:** Rick Unbehaun moved, seconded by Bonnie Gift, to approve the agenda as published. Motion carried unanimously.

**ELECTION OF OFFICERS**

Elections for the position of Vice Chair and Secretary were made to fill vacancies for the remainder of this year. Roy Pfeffer will remain as Chair of the Board for the remainder of the year. New board elections will take place in January 2003.

**MOTION:** Robert Skinner moved, seconded by Bonnie Gift, to elect Rick Unbehaun to serve as Vice Chair of the Board. Motion carried unanimously.

Rick Unbehaun resigned as Secretary of the Board.

**MOTION:** Rick Unbehaun moved, seconded by William Cress, to elect Bonnie Gift as Secretary of the Board. Motion carried unanimously.

**APPROVAL OF MINUTES (7/16/02 AND 8/19/02)**

**MOTION:** Robert Skinner moved, seconded by Bonnie Gift, to approve the minutes of 7/16/02 as published. Motion carried unanimously.

**MOTION:** Rick Unbehaun moved, seconded by William Cress, to approve the minutes of the teleconference meeting of 8/19/02 as published. Motion carried unanimously.

## **ADMINISTRATIVE REPORT**

### **Cletus J. Hansen, Bureau Director**

- **Board Roster**

William Cress has a correction to his business phone number: (608) 873-9244.

Rick Unbehaun has a new e-mail address: unbehaun@charter.net

A question was raised as to when the vacancy for the public member will be filled. Clete Hansen will follow-up with the progress being made on getting this vacancy filled.

- **Meeting Dates for 2002 and 2003**

The Board reviewed the tentative meeting dates for 2003 as published in the agenda packet. The Board requested that the screening scheduled for June 16, 2003 be changed to June 9, 2003. The calendar was informally approved as presented with the one change of the screening date in June being changed to June 9, 2003.

- **Summary Reports on Pending Court Cases, Disciplinary Cases and Administrative Rules**

Noted

- **To-Do List**

The To-Do list was reviewed and all items had been done.

- **To-Pass Folder**

The To-Pass Folder was circulated to the board members.

- **Service and Budget Committee Report – Roy Pfeffer**

Roy Pfeffer reported to the Board on discussions that took place at the Department's Service and Budget Committee meeting on August 28, 2002. Pfeffer reviewed the recommendations that were made by the Committee.

### **Katharine Hildebrand - Communications**

Katharine spoke with the Board about its Regulatory Digest and encouraged the Board members to write articles for their Regulatory Digest. Hildebrand reported that, in an effort to reduce costs, the Department is considering having the Regulatory Digests for some boards published once a year with a second Regulatory Digest being offered on the Department's web page. The Board expressed a preference for retaining the twice-a-year schedule for the board's Regulatory Digest because it is important for other members of the profession to be aware of disciplinary cases that are reported in the Digest. Several articles that are in the process of being prepared for the Board's November Regulatory Digest were discussed.

## **LEGISLATIVE UPDATE**

### **Regulation of Crematories – LRB 2804/P4**

Clete reviewed the Board's proposal regarding the regulation of crematories. The Board will wait until after the November 5th election to decide who will introduce this bill in the legislature.

### **Legislative Proposals For 2003**

Currently there is nothing being prepared to be introduced to the legislature for 2003. However, some rules may need to be clarified, relating to certificates of good standing.

Mark Paget of the WFDA said that his association and FSA are considering legislation that would address the practice of businesses that operate in the same way (except for embalming services) as funeral homes but don't refer to themselves as funeral homes. It was felt that the definition of funeral home needs to be clarified. While some organizations such as the Elks Club, Eagles Club and churches can hold visitation services, they are not in the same category as the groups being referred to which act as a funeral home, but do not call themselves a funeral home.

## **CONTINUING EDUCATION POLICIES AND PROCEDURES**

### **Appearance of Barbara Showers**

Barb Showers discussed with the board, the cost of doing audits to ensure compliance with the continuing education (C.E.) requirements. It was noted that spending money for enforcing C.E. requirements was not listed as a high priority by the Service and Budget Committee.

### **Results of CE Audit – Lydia Bridge**

Lydia Bridge reported on the audit that was done for the funeral directors. Letters were sent to licensees who were found to be out of compliance. Several licensees have been referred to DOE as a result of the C.E. audit. It was noted that licensees were given time to come into compliance with their C.E. requirements.

## **EXAMINATION ISSUES**

None

## **BOARD MEMBER ACTIVITY**

Board members gave brief reports.

## **MORTUARY SCIENCE PROGRAM**

Mark Paget, representing the WFDA, and John Pludeman, representing the Milwaukee Area Technical College, spoke with the Board concerning solutions that are being considered to deal with the shortage of funeral directors in Wisconsin. The most viable of the solutions being considered is to streamline the Milwaukee Area Technical College mortuary program in an effort to find a more efficient way to get people through the program, without affecting the core courses being offered. In order to address the difficulty that people living outside of the Milwaukee area face in completing the 2-year mortuary program that is currently required, the technical college is looking into the feasibility of repackaging the current 2-year mortuary program into a 1-year program. Also discussed was the idea of how much college education should be required to qualify or complete the mortuary program and what standard other states are using in the area of education requirements. The Board recommended streamlining electives into courses that would have some relevance to the funeral business.

**MOTION:** Rick Unbehauen moved, seconded by William Cress, to support the repackaging by MATC of its 2-year mortuary program to a 1-year mortuary program, but keeping the 2-years of college as a requirement, and reviewing and updating the college courses being required in the 2-year college degree program. Motion carried unanimously.

## **ACTION ON AG OPINION REGARD REMOVALS BY UNLICENSED PERSONS**

**MOTION:** William Cress moved, seconded by Bonnie Gift, to concur with the Attorney General's (AG) position and to reaffirm the Board's prior position regarding the removal of bodies by unlicensed persons. Motion carried unanimously.

## **MISCELLANEOUS CORRESPONDENCE/INFORMATION**

None

## **NEW BUSINESS**

None

## **PUBLIC COMMENTS**

None

## **CLOSED SESSION**

**MOTION:** Rick Unbehaun moved, seconded by Bonnie Gift, to convene to closed session to deliberate on cases following hearing (s. 19.85(1)(a), Stats.; to consider licensure or discipline (s. 19.85(1)(b), Stats.; to consider individual histories or disciplinary data (s. 19.85 (1)(f), Stats.; and, to confer with legal counsel (s. 19.85(1)(g), Stats.). Motion carried by roll call vote: Roy Pfeffer-yes, Rick Unbehaun-yes, William Cress-yes, Bonnie Gift-yes, Robert Skinner-yes.

Open session recessed at 12:00 Noon.

### **RECONVENE TO OPEN SESSION**

**MOTION:** Robert Skinner moved, seconded by Bonnie Gift, to reconvene into open session at 2:50 p.m. Motion carried unanimously.

### **VOTE ON ITEMS CONSIDERED OR DELIBERATED UPON IN CLOSED SESSION**

#### **MONITORING REPORT**

##### **JUAN BARQUET**

**MOTION:** Robert Skinner moved, seconded by Rick Unbehaun, to grant the request of Juan Barquet for a one-year stay of suspension. Motion carried unanimously.

#### **CASE CLOSINGS AND CASE STATUS REPORT**

**MOTION:** Bonnie Gift moved, seconded by William Cress, to close the following cases on the basis of prosecutorial discretion as recommended by the Division of Enforcement: 02 FDR 007, 02 FDR 011, 02 FDR 016 and 02 FDR 017. Motion carried unanimously.

#### **PENDING APPLICATIONS**

##### **ILONA EASLEY**

**MOTION:** Rick Unbehaun moved, seconded by Robert Skinner, to authorize Clete Hansen to write a letter to Ilona Easley, stating that the Board approves her apprenticeship since she has fulfilled the state requirements for apprenticeship, and that when she becomes employed by a funeral home she will receive a funeral directors license. Hansen will also inform Mr. Frazier of this decision and advise Mr. Frazier that documents are to be signed in a timelier manner in accordance with the apprenticeship program standards. If Mr. Frazier is not going to be the preceptor, in the future, Mr. Frazier should allow the designated preceptor to sign the documents. Motion carried unanimously.

**DELIBERATION ON PROPOSED DISCIPLINARY ACTIONS, STIPULATIONS AND  
ADMINISTRATIVE WARNINGS SUBMITTED AFTER PREPARATION OF THE  
AGENDA**

**STIPULATIONS**

**ALAN JENSEN**

**MOTION:** William Cress moved, seconded by Robert Skinner, to accept the findings of fact, conclusions of law, and order in the matter concerning Alan Jensen. Motion carried unanimously.

**GEORGE NOWEL HARE**

**MOTION:** Rick Unbehaun moved, seconded by Bonnie Gift, to accept the findings of fact, conclusions of law, and order in the matter concerning George Nowel Hare. Motion carried unanimously.

**ADJOURNMENT**

**MOTION:** Bonnie Gift moved, seconded by Rick Unbehaun, to adjourn the meeting at 2:50 p.m. Motion carried unanimously.

**Next meeting: Tuesday, November 12, 2002**